IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL WRIT No. 3801 of 1992

SHISHUPAL SINGH JAKHAR
V/S
STATE & ANR

None present for the appellant / petitioner

Mr. BL BHATI, AGA, for the respondent

Date of Order : 17.4.2006

HON'BLE SHRI N P GUPTA,J.

ORDER

Nobody appears for the petitioner despite Jamadar having been sent to search till closer of the day. That apart, the controversy involved in the present writ petition is squarely covered by the judgment of this Court in bunch of writ petitions led by S.B.C.W.P.No.3320/92- Shanker Rathore Vs. State of Rajasthan & Anr., decided on 27.3.2006.

In the present case, since the allegation of the petitioner is that his case has not been sent for adjudging suitability by the RPSC, while the case of the respondent in the reply is that the case of the petitioner was sent to RPSC immediately after amendment of the rule, and vide order dated 15.3.2001, learned counsel for the respondent sought time to make a definite statement in the matter. But since learned counsel for the respondent was not in a position to make a definite statement even today, in that

view of the matter, I requisitioned the file of writ No.3320/92, referred to above, and therein looked at the order, Annex.16 dated 29.1.2006, being the final seniority list, wherein name of the petitioner in writ No.3320/92 finds place at serial No.33 showing to have been adjudged suitable by RPSC since 19.11.98. In that very list, the name of the present petitioner finds place at serial No.28, and he too having adjudged suitable since 19.11.98, and has been assigned appropriate seniority in the list.

In that view of the matter, for the same reasons as given in Shanker Rathore's case, this writ petition is also dismissed with identical direction that the services rendered by the petitioner, consequent upon the temporary appointment, may be taken into account for the purpose of computing the terminal benefits payable to him on retirement. The parties shall bear their own costs.

(N P GUPTA),J.

/Sushil/